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# Democrats Seek Probe of Medicare Estimates

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Claims that the Bush administration withheld cost estimates of last year's Medicare prescription drug law prompted Democratic lawmakers yesterday to demand investigations and a GOP leader to say the reports are hurting his party's credibility.

Two Democratic senators wrote to President Bush, calling on him to bar any retaliation against Medicare's chief actuary, who last week said an administration official had threatened to fire him if he showed Congress his projected costs of the bill to add a drug benefit to Medicare. Meanwhile, half a dozen House Democrats have asked the inspector general of the Department of Health and Human Services to investigate the actuary's allegations.

In a related matter, several Democratic senators called on television stations to refrain from using HHS-produced "video news releases" that promote the new law, calling them misleading. The department says the videos are legitimate and typical of releases given to TV stations by hundreds of private companies and government agencies.

The question of the Medicare bill's likely cost was a major issue last fall, when House GOP leaders barely got enough votes to enact the Bush-backed measure. Throughout the long debate, congressional leaders said the bill would cost \$395 billion over 10 years, a figure the White House did not publicly dispute. But soon after Bush signed it into law, the White House said the cost would be about \$534 billion.

Last week, Medicare's chief cost analyst -- longtime federal employee Richard S. Foster -- said he had reached the higher estimate long before Congress took its final votes, and had wanted to share his estimates with lawmakers requesting such projections. He said Thomas A. Scully, then head of the HHS agency overseeing Medicare, repeatedly told him he would be fired if he did so. Scully has said he never threatened to fire Foster except in jest.

While numerous Democrats have leapt on the issue, at least one member of the House GOP leadership says Foster's claims are troubling. Rep. Jack Kingston (Ga.), vice chairman of the House Republican Conference, said he relied on the \$395 billion estimate when urging reluctant colleagues to support the bill -- which the House passed during an extraordinary three-hour pre-dawn roll call on Nov. 22.

Foster's claim, Kingston said in an interview yesterday, "not only hurts the credibility of everybody in the process" of enacting the law but particularly damages "those of us on the whip's team." The next time he presses colleagues to make a tough vote, he said, they may remind him how they were misled on the hard-fought Medicare issue.

Sens. Edward M. Kennedy (D-Mass.) and Charles E. Schumer (D-N.Y.) wrote to Bush yesterday "to

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respectfully request that you make it clear to the White House staff that they are not to engage in any kind of retaliation" against Foster. On Friday, Kennedy and Senate Minority Leader Thomas A. Daschle (D-S.D.) wrote Bush, asking for an explanation of Foster's claims and the controversy over the cost estimate.

Also Friday, six House Democrats asked the HHS inspector general to investigate whether Foster "faced inappropriate pressure to withhold information from lawmakers."

Sen. John F. Kerry (Mass.), the presumed Democratic presidential nominee, said in a statement: "The government's top expert on Medicare costs had been told to keep quiet -- or pay the price. There is no place for silencing the truth."

On a related front yesterday, Democrats pounced on a New York Times report that HHS's "video news releases" touting the Medicare law included the voice of a woman saying, "In Washington, I'm Karen Ryan reporting."

Kennedy and Sen. Frank Lautenberg (D-N.J.) wrote to major television networks urging them "to immediately warn your stations not to use these materials and pull any stories that use them." The senators' letter said the videos "may mislead many news stations because they do not identify that they are produced by the government."

The General Accounting Office, already looking into HHS-produced TV ads promoting the new Medicare law's benefits, said in a statement yesterday: "We became aware of these video news releases as a result of an earlier congressional request" and will evaluate "the propriety of using appropriated funds to support these activities."

HHS spokesman Tony Jewell defended the releases, calling them "an extremely common public relations tool that people use to get information to television broadcasters."

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